

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

SIWELL, INC. D/B/A CAPITAL
MORTGAGE SERVICES OF TEXAS

Plaintiff,

V.

WILLIAM BERTHELETTE AND
LAND GORILLA, INC.
(formerly Land Gorilla, LLC)

Defendants.

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Civil Action No. 5:19-cv-00025-C

ORDER GRANTING APPLICATION TO CONFIRM ARBITRATION AWARD

AND NOW, this __ day of ____, 202__, upon consideration of the Application to Confirm Arbitration Award and for Entry of Judgment filed by Land Gorilla, Inc. (“LG”), and all documents submitted in connection therewith, and it appearing that LG’s Application to Confirm Arbitration Award is supported by the evidence and the law, it is **ORDERED** as follows:

1. LG's Application to Confirm Arbitration Award is **GRANTED**;
2. The Arbitration Award dated September 2, 2021 (Dkt. #34, Ex. 2) is in all respects **CONFIRMED**;
3. LG is awarded damages of \$137,477.89, plus post-award interest at the rate of 1.5% per month, from November 20, 2020 until date of entry of judgment;
4. LG is awarded recovery of attorneys' fees and costs in the amount of \$105,478.51;
5. LG shall have judgment against CMS for recovery of the additional attorneys' fees and costs that LG incurred in post arbitration collection and to obtain this judgment in the amount of \$6,919,17; and

6. LG shall receive post-judgment interest at the rate described in 28 U.S.C. §1961(a).

IT IS SO ORDERED, this ____ day of _____, 202__.

SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE